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*Attorneys for Irving H. Picard, Trustee
for the Substantively Consolidated SIPA
Liquidation of Bernard L. Madoff Investment
Securities LLC and the Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

Adv. Pro. No. 10-04440 (SMB)

RMGF LTD. PARTNERSHIP,

REGINA FISHER, individually and as General
Partner of RMGF Ltd. Partnership,

MICHAEL FISHER, as Limited Partner of RMGF
Ltd. Partnership,

FRANCINE FISHMAN, as Limited Partner of
RMGF Ltd. Partnership, and

GREGORY FISHER, as Limited Partner of RMGF
Ltd. Partnership,
Defendants.

NOTICE OF MEDIATOR SELECTION

On November 10, 2010, this Court entered the Order (1) Establishing Litigation Case Management Procedures for Avoidance Actions and (2) Amending the February 16, 2010, Protective Order (the “Order”)¹ [Adv. Pro. No. 08-01789 (SMB), Dkt. No. 3141]. Pursuant to the Notice of Applicability filed by Plaintiff Irving H. Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC (“BLMIS”) under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.* (“SIPA”), and the substantively consolidated estate of Bernard L. Madoff individually (“Madoff”), in this Adversary Proceeding on December 1, 2010 [Dkt. No. 2], the Order and the avoidance procedures contained therein (the “Avoidance Procedures”) are applicable to the instant matter.

Pursuant to the Avoidance Procedures, on July 21, 2015, the Trustee and Defendants RMGF Ltd. Partnership, Regina Fisher, Individually and as General Partner of RMFG Ltd. Partnership, Michael Fisher, as Limited Partner of RMFG Ltd. Partnership, Francine Fishman, as Limited Partner of RMFG Ltd. Partnership, and Gregory Fisher, as Limited Partner of RMFG Ltd. Partnership (together, the “Parties”) filed with this Court the Corrected Notice of Mediation Referral [Dkt. No. 48].

Through this Notice of Mediator Selection, and pursuant to the Avoidance Procedures

¹ All terms not defined herein shall be given the meaning ascribed to them in the Order.

and the Mediation Order, made applicable to the Parties upon the filing of the Notice of Mediation Referral, the Parties hereby mutually select from the Mediation Register Keith N. Costa, to act as Mediator in this matter. The Parties further agree to contact Mr. Costa as soon as practicable after this Notice of Mediator Selection is filed with the Court.

The Parties further agree that no person shall act as Mediator if that person, or that person's law firm, currently represents a party with respect to the BLMIS proceeding, unless the Parties provide prior written consent that the person may act as Mediator.

Pursuant to the Avoidance Procedures, the Parties agree that this mediation will conclude within 120 days from the date that this Notice of Mediator Selection is filed, unless that deadline is extended by mutual consent of the Parties and the Mediator.

Dated: New York, New York
August 13, 2015

BAKER & HOSTETLER LLP

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